

AMENDED IN ASSEMBLY MAY 31, 2012

AMENDED IN SENATE APRIL 10, 2012

SENATE BILL

No. 1388

Introduced by Senator DeSaulnier
(Coauthors: Senators Price and Wyland)
(Coauthors: Assembly Members Jeffries and Bonnie Lowenthal)

February 24, 2012

An act *to amend Section 22508 of, and to add Section 22508.5 to, the Vehicle Code, relating to parking.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1388, as amended, DeSaulnier. Parking: ~~inoperable~~ parking meters.

Existing law ~~authorizes~~ *prohibits* a local authority ~~to establish from establishing~~ parking meter zones and ~~fix~~ *fixing* the rate or fees for those zones, *except* by ordinance. Existing law further authorizes a local authority to, by ordinance, cause streets and highways to be marked with white lines designating parking spaces and require vehicles to park within the parking spaces.

This bill would *delete the prohibition on a local authority from fixing the rate of fees for those zones, except by ordinance, and would authorize a local authority to accept payment of parking meter fees by e-mobile device. The bill also would authorize a local authority to adopt an ordinance or resolution prohibiting or restricting the parking of a vehicle at an inoperable parking meter or inoperable parking payment center, as defined. The bill would also authorize parking at an inoperable parking meter for up to the posted time limit if no ordinance or resolution has been adopted to prohibit it.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 22508 of the Vehicle Code is amended to*
2 *read:*

3 22508. ~~Local authorities~~—(a) A local authority shall not
4 establish parking meter zones or fix the rate of fees for such zones
5 except by ordinance. An ordinance establishing a parking meter
6 zone shall describe the area ~~which~~ *that* would be included within
7 the zone.

8 ~~Local authorities~~

9 (b) A local authority may by ordinance cause streets and
10 highways to be marked with white lines designating parking spaces
11 and require vehicles to park within the parking spaces.

12 ~~No~~

13 (c) An ordinance adopted by ~~any~~ a local authority pursuant to
14 this section with respect to any state highway shall *not* become
15 effective until the proposed ordinance has been submitted to and
16 approved in writing by the Department of Transportation. The
17 proposed ordinance shall be submitted to the department only by
18 action of the local legislative body and the proposed ordinance
19 shall be submitted in complete draft form.

20 ~~Any~~

21 (d) An ordinance adopted pursuant to this section establishing
22 a parking meter zone or fixing rates of fees for ~~such a~~ *that* zone
23 shall be subject to local referendum processes in the same manner
24 as if ~~such~~ the ordinance dealt with a matter of purely local concern.

25 (e) A local authority may accept but shall not require payment
26 of parking meter fees by a mobile device.

27 ~~SECTION 1.~~

28 *SEC. 2. Section 22508.5 is added to the Vehicle Code, to read:*

29 22508.5. (a) Except as provided in subdivision (b), a vehicle
30 may park, for up to the posted time limit, in any parking space that
31 is subject to an inoperable parking meter or an inoperable parking
32 payment center.

33 (b) Local authorities may, by ordinance or resolution, prohibit
34 or restrict the parking of vehicles at inoperable parking meters or
35 inoperable parking payment centers. No ordinance or resolution

1 adopted by a local authority pursuant to this section shall become
2 effective until signs or markings giving adequate notice of the
3 restriction or prohibition on parking have been placed at parking
4 locations, parking meters, or parking payment centers.

5 (c) For purposes of this section:

6 (1) “Inoperable parking meter” means a meter located next to
7 and designated for an individual parking space, which has become
8 inoperable and cannot accept payment in any form or cannot
9 register that a payment in any form has been made.

10 (2) “Inoperable parking payment center” means an electronic
11 parking meter or pay station serving one or more parking spaces
12 that is closest to the space where a person has parked and ~~which~~
13 *that* cannot accept payment in any form, cannot register that a
14 payment in any form has been made, or cannot issue a receipt that
15 is required to be displayed in a conspicuous location on or in the
16 vehicle.